



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL

Docket Number:
02653/40

Application Number
09/724,797

Filing Date
November 28, 2000

Examiner
Daniel M. Sullivan

Art Unit
1632

Invention Title
**MICROMONOSPORA ECHINOSPORA GENES
ENCODING FOR BIOSYNTHESIS OF
CALICHEAMICIN AND SELF-RESISTANCE
THERE TO**

Inventor(s)
Jon S. THORSON

Address to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: August 7, 2003

Signature:

Joseph A. Coppola
Joseph A. Coppola, Reg. No. 38,413

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated February 7, 2003, finally rejecting claims 152-156 and allowing claims 9, 88-96, 98, 99, 145, 150, and 151.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of Appeal fee of \$320.00 to the deposit account of **Kenyon & Kenyon**, deposit account number 11-0600.

The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 11-0600.

A duplicate copy of this form is enclosed for charging purposes.

Dated: August 7, 2003

Joseph A. Coppola
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